

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALICIA SCOTT	:	CIVIL ACTION
	:	
v.	:	
	:	
FRED BEANS CHEVROLET	:	
OF LIMERICK, INC., et al.	:	NO. 15-1071

ORDER

AND NOW, this 28th day of April, 2016, upon consideration of the cross-motions for summary judgment filed by plaintiff Alicia Scott (docket entry #18), and defendants Fred Beans Chevrolet (“Beans”) and Timothy E. DeJesus (docket entry #19), and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that:

1. Plaintiff Alicia Scott’s motion for summary judgment is GRANTED IN PART and DENIED IN PART;
2. Scott’s motion is GRANTED as to defendant Beans’s counterclaim for breach of contract;
3. Defendant Beans’s counterclaim for breach of contract is DISMISSED WITH PREJUDICE;
4. Scott’s motion is DENIED as to her Equal Credit Opportunity Act claim, 15 U.S.C. § 1691, and Uniform Commercial Code claim;
5. Defendants’ motion for summary judgment is GRANTED;
6. Scott’s Equal Credit Opportunity Act, 15 U.S.C. § 1691, Pennsylvania Unfair Trade Practices and Consumer Protection Law (“UTPCPL”), 73 Pa. C.S.A. § 201-1 et seq., and conversion claims against defendant Beans are DISMISSED WITH PREJUDICE;

7. Plaintiff's UTPCPL claim against Timothy E. DeJesus is DISMISSED WITH PREJUDICE;

8. As there is no just reason for delay for an entry of judgment pursuant to Fed. R. Civ. P. 54(b), defendant Timothy E. DeJesus is DISMISSED from this case and the Clerk of Court shall MARK this defendant as TERMINATED;

9. In accordance with Local R. Civ. P. 72.1 and 28 U.S.C. § 636(b)(3), this case is REFERRED to the Honorable Jacob P. Hart to attempt to resolve the remaining claim in this matter;

10. The parties shall COOPERATE in accordance with Judge Hart's instructions; and

11. Further proceedings before this Court are STAYED pending the outcome of the mediation with Judge Hart.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.